

**Written statement of a key decision**  
**Cabinet member children and families**

<b>Title</b>	<b>Regional Joint Commissioning. Flexible Contractual arrangement for the Provision of Placements in Residential Children's Homes</b>
Decision maker	Cabinet member children and families Information about cabinet, including the names and contact details of the cabinet members, can be found here: <a href="http://councillors.herefordshire.gov.uk/mgCommitteeDetails.aspx?ID=251">http://councillors.herefordshire.gov.uk/mgCommitteeDetails.aspx?ID=251</a>
Date of decision	14 January 2019
Report exemption class	Open
Reason for being a key decision	<p>This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.</p> <p>This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.</p>
A notice was served in accordance with Part 3 (Key decisions) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.	
General exception or special urgency (as defined in the constitution)	No
Purpose	To approve the adoption of the regional Flexible Contracting Arrangement (FCA) for the provision of placements for looked after children and those with complex needs in residential children's homes from 15 December 2018 to 14 December 2021 with option to extend for up to a further 3 years.
<b>Decision</b>	<b>That:</b> <b>(a) the Regional Flexible Contracting Arrangement (FCA) for the provision of placements in children's homes be adopted to support the purchasing of</b>

	<p><b>residential accommodation up to an annual value of £5.5m ;</b></p> <p><b>(b) the Director for Children’s and Families and relevant Assistant Directors be authorised to take all necessary operational decisions to implement the above recommendation, including award of placement agreements and mini-block contracts through the FCA;</b></p> <p><b>(c) the Director for Children’s and Families and relevant Assistant Directors be further authorised to take all necessary operational decisions to spot-purchase placements outside the FCA should the need arise for individual children.</b></p>
Reason for the decision	<p>As set out in the report. Documents relating to this decision are available at</p> <p><a href="http://councillors.herefordshire.gov.uk/mglIssueHistoryHome.aspx?IId=50028033">http://councillors.herefordshire.gov.uk/mglIssueHistoryHome.aspx?IId=50028033</a></p>
Options considered	<ol style="list-style-type: none"> <li>1. Do nothing. As there will be no framework or similar arrangements, Herefordshire will spot purchase all residential children’s home placements as and when required. Although spot purchase costs are higher than framework costs in some parts of the region, the FCA and spot prices expected to be paid by Herefordshire are broadly similar. However, spot purchasing can create an additional administrative pressure as a result of the additional pre-placement checks and contracting preparation. FCA providers will have already been subject to a regional evaluation and the same contractual terms and conditions, which would minimise the need for local checks and contracting arrangements</li> <li>2. Commission a Herefordshire only framework agreement. This is not recommended as Herefordshire has relatively low purchasing powers in the residential children’s market. It is more likely that lower costs can be achieved by working collaboratively with regional partners.</li> <li>3. Participate in a sub-regional residential children’s home framework. As all 14 Local Authorities / Trusts in the West Midlands have participated in the development and tendering of the FCA, it would be difficult to identify potential partners to support this process.</li> <li>4. For Herefordshire to procure a block contract or operate an in-house residential children’s home service. These are service models that are being explored as potential opportunities for ensuring more children can be placed in Herefordshire when their needs require residential</li> </ol>

	<p>accommodation. Any proposals would be subject to a future governance decision. Assuming that Herefordshire did operate either a block contract or in-house residential provision however, there will continue to be a small number of children that would need to be placed under other arrangements, which the regional FCA would help to deliver.</p>
<p>Declarations of interest (see below)</p>	
<p>Call-in expiry date (decisions are not subject to call-in where special urgency provisions apply)</p>	<p>18 January 2019</p>

<p>Councillor: .....</p> <p>Cabinet member children and families (Councillor EJ Swinglehurst)</p>	<p>Date 14 January 2019</p>
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- a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision;
- and
- in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service.